



ST HELENA VIEWS HOME OWNERS' ASSOCIATION

APPLICATION AS A PREFERRED BUILDING CONTRACTOR

Name of Builder: _____



1. General

The Builders Code of Conduct (BCOC) of the HOA provide as follows regarding Building Contractors (See paragraph 3.1 to 3.4 of the BCOC):

- 1.1 Only Building Contractors (hereinafter referred to as Contractors) approved by the HOA are allowed to do Construction within the perimeter of the Estate.
- 1.2 A list of Preferred Contractors is available from HOA Office.
- 1.3 The list of Preferred Contractors expires annually on 31 January and may be renewed multiple times on application. The HOA may levy an application and annual renewal fee.
- 1.4 The preferred Contractors constantly in breach of the Rules and the Agreement may, after following due process, not be renewed by the Trustee Committee (after consultation with the DRC), or may be renewed subject to certain specific terms and conditions.

2. Procedure and Terms and Conditions

The procedures and related terms and conditions regarding approval of Contractors, to be incorporated into the Agreement as contemplated in paragraph 3.1.2 of the BCOC, are as follows:

- 2.1 Only Contractors who have submitted their application with all the supporting documents and have been granted approval by the HOA will be permitted to carry out Construction at the Estate.
- 2.2 The application for approval must be made in writing to the HOA, at least fifteen (15) calendar days prior to the first intended construction commencement date.
- 2.3 The application must be made on the prescribed form available from the HOA Office and must be accompanied by the supporting documentation required in terms of paragraph 3 below.
- 2.4 Approval as Building Contractor must be acquired for construction on Communal and Private Property within the perimeter of the Estate.
- 2.5 Construction herein means any activity on a Construction Site related to the erection of new structures, such as houses (including apartments and sectional title units), public facilities, utility buildings and any ancillary structure thereto requiring building plan approval, as well as any alterations, additions, or renovations to existing structures requiring building plan and/or HOA approval.



- 2.6 All work must be carried out in accordance with the Rules of the Estate and applicable statutory provisions, and with the approval of the relevant authority, as applicable.
- 2.7 The HOA shall not approve Contractors failing to comply with the provisions of paragraph 3, as applicable.
- 2.8 The approval of a Contractor will terminate automatically in the instance of the Contractor failing to comply with statutory provisions applicable to the Building and Related Industries and/or the Estate, or the non-compliance with the requirements contemplated in paragraph 3.
- 2.9 Without derogating from the right of the HOA contemplated in paragraph 2.8, the HOA may in the instance where the HOA has reason to believe that the breach by an approved Contractor of any statutory provision, the Rules, and/or the Agreement, poses a direct and immediate threat to the health and safety of residents and workers, suspend the approval of such a Contractor with immediate effect pending an investigation, and may after following due process, terminate the approval of the Contractor, impose certain approval terms and conditions, and/or institute remedial actions and penalties, taking into account the circumstances causing the breach.
- 2.10 On written notice from the HOA to the Contractor of the suspension and/or termination of approval, the Contractor shall immediately cease operations, render the Building Site safe, demobilise and exit the Development Site.
- 2.11 A Contractor whose approval application has been unsuccessful, terminated, or not renewed, may re-apply for approval to the HOA, with due cognisance of the reasons advanced by the HOA for not approving previous applications.
- 2.12 The HOA accepts no responsibility for any damage suffered by the Contractor for not granting approval.

3. Accreditation Criteria for Contractors

In order to qualify as an Approved Contractor, the Contractor must comply, as applicable, with the following minimum requirements:

- 3.1 Be a member in good standing of the Master Builders Association, Boland or West Coast regions.
- 3.2 Be registered with the NHBRC and within the limit of building units allowed to be constructed in terms of such registration, and to submit proof that any non-compliances issued by the NHBRC inspectorate to the Contractor have or are in the process of being rectified.



- 3.3 Provide proof of adequate insurance, including Contractors All Risk Cover equal to the value of the building work plus 10%, Public Liability cover of R5,000,000 (Five million rand), SASRIA Cover.
- 3.4 Provide three client references in support of historical and current performance, and the quality of workmanship delivered.
- 3.5 Submit a completed application form available from of the HOA Office

St Helena Views HOA Preferred Building Contractor Application Form.

1. Application

1.1 I/We herewith apply to be registered as a Preferred Builder in terms of clause 3 of the St Helena Views Builders Code of Conduct:

Name of Builder:			
Address:			
Contact person:			
Cell:			
E-mail:			
The number of years in the building industry under the present name:			
Name and contact details of most recent clients for whom projects of similar size and quality have been completed:			
Name of Client:	Cell Number:	Email Address:	Value of project and Date completed:

1.2 I/We undertake to comply with the Architectural Design Guidelines and Builders Code of Conduct of the St Helena Views HOA.

- 1.3 I/We acknowledge that I/we have received a copy of both the Architectural Design Guidelines and the Builders Code of Conduct.
- 1.4 I/We UNDERTAKE NOT to deviate from the APPROVED BUILDING PLANS.
- 1.5 IF deviations, for whatever reason, are indeed necessary or required, I/we UNDERTAKE to:
- Inform the SHVHOA thereof
 - Inform my Client that suitably altered building plans have to be submitted, and
 - NOT to proceed with the deviations until such time as new plans have been approved, or the written approval of the SHVHOA has been obtained to proceed.
- 1.6 I/We take full responsibility for any and all Sub-Contractors and workers whom I/we employ.
- 1.7 I/We understand the Preferred Building Contractor procedure as described in Clause 3.1 of the Builders Code of Conduct.
- 1.8 I/We attach copies of the following documentation required for registration as a Preferred Building Contractor:
- Copy of registration with the National Home Builders Registration Council
 - Copy of registration with the Boland or West Coast Master Builders Association
 - Proof of Contractors All Risk Insurance, Public Indemnity & SASRIA cover

Signed at _____ on _____ 20 _____

AUTHORISED TO SIGN ON BEHALF OF

NAME OF BUILDER